

ITEM 24 – COVER LETTER

To: Metropolitan Planning Commission
From: Michael A. Brusseau, Senior Planner
Date: October 4, 2012
Item #: 24
Applicant: Arrow Properties

The purpose of this cover letter is to clarify that the below three applications by Arrow Properties are all linked together. The MPC file numbers are as follows:

- a. 10-A-12-SP – North City Sector Plan Amendment

- b. 10-A-12-PA – One Year Plan Amendment

- c. 10-B-12-RZ - Rezoning

The sector plan amendment (a) is addressed in an individual report. The One Year Plan amendment (b) and the rezoning (c) are addressed in a combined report that follows. The two plan amendments must be approved before the rezoning may be considered.



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT REPORT**

▶ **FILE #:** 10-A-12-SP

AGENDA ITEM #: 24

AGENDA DATE: 10/11/2012

▶ **APPLICANT:** **ARROW PROPERTIES**

OWNER(S): Arrow Properties

TAX ID NUMBER: 59 J A 010

JURISDICTION: Council District 4

▶ **LOCATION:** **Northwest side Greenway Dr., northeast of Amber Ridge Way**

▶ **APPX. SIZE OF TRACT:** **3.8 acres**

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Greenway Dr., a major collector street with 22' of pavement width within 130' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

▶ **PRESENT PLAN AND ZONING DESIGNATION:** **MU-SD (Mixed Use Special District) (MU-NC8) and HP (Hillside/Ridge Top Protection Areas) / R-1 (Low Density Residential)**

▶ **PROPOSED PLAN DESIGNATION:** **MU-SD (Mixed Use Special District) (MU-NC8), including I-2 and HP (Hillside/Ridge Top Protection Areas)**

▶ **EXISTING LAND USE:** **House and garage**

▶ **PROPOSED USE:** **Building for manufacturing of exhibits/displays for trade shows.**

EXTENSION OF PLAN DESIGNATION: No

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE AND PLAN DESIGNATION: North: Vacant land, ridge / HP

South: Greenway Dr. - Houses and small business / MU-SD (MU-NC8)

East: Vacant lot and business / MU-SD (MU-NC8)

West: Vacant warehouse and house / MU-SD (MU-NC8)

NEIGHBORHOOD CONTEXT This area is developed with a mix of uses in both City and County zoning districts, including I, RA, RB, R-1, O-1, C-1 and I-3.

STAFF RECOMMENDATION:

▶ **ADOPT RESOLUTION #10-A-12-SP, amending the North City Sector Plan to Mixed Uses-Special District (MU-NC8), including I-2, and recommend that Knoxville City Council also approve the sector plan amendment, to make it operative. (See resolution, Exhibit A.)**

Uses permitted under I-2 zoning are less intense than those permitted on adjacent industrial zoned properties and would be compatible in scale and intensity to surrounding land uses and zoning. It is reasonable to allow consideration of I-2 zoning in this particular mixed use special district.

COMMENTS:

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been made to Greenway Dr. in the vicinity of this site.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The North City Sector Plan proposes mixed uses for this area as part of a special district. The plan recommends R-1A, RP-1 and O-1 zoning in this special district NC-8, but does not recognize the considerable area that is currently zoned I (Industrial) in the County. The County I zone permits heavy industrial uses, as well as commercial uses. The request to amend the sector plan to allow for I-2 (Restricted Manufacturing & Warehousing) zoning, which is a much less intense zone than the I zone that abuts the subject property on both sides.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

There are established industrial uses and zoning along Greenway Dr., not recognized on the current sector plan. The presence of the industrial zoning demonstrates that the City Council and County Commission have deemed this area as appropriate for industrial uses, some of which could be much more intense than what would be permitted under the requested I-2 zoning.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

The development trend along this Greenway Dr. corridor is for non-residential uses. It is reasonable for the sector plan's mixed use special district (NC8) to allow consideration of non-residential zones other than O-1 in this area. Individual plan amendments and rezoning requests should be reviewed based on their own individual merits on a case-by-case basis.

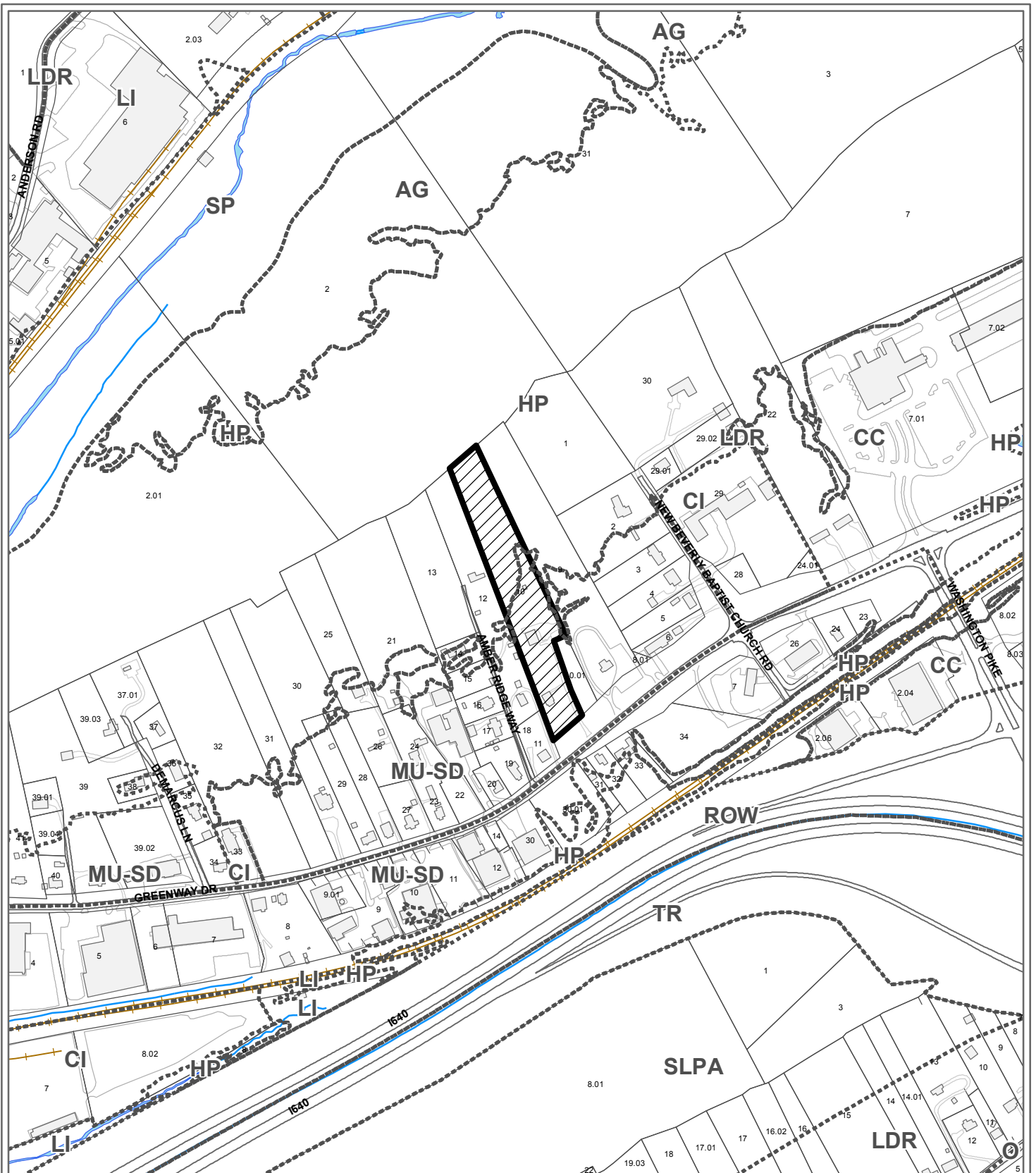
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/13/2012 and 11/27/2012. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**10-A-12-SP
NORTH CITY SECTOR PLAN AMENDMENT**

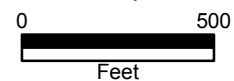
Petitioner: Arrow Properties



From: MU-SD (Mixed Use Special District) (MU-NC8) and HP (Hillside/Ridge Top Protection Areas)
 To: MU-SD (Mixed Use Special District) (MU-NC8), including I-2 and HP (Hillside/Ridge Top Protection Areas)

Map No: 59
 Jurisdiction: City

Original Print Date: 9/26/2012 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTH CITY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the North City Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Arrow Properties, has submitted an application to amend the Sector Plan from MU-SD (MU-NC8) and HP to (MU-NC8), including I-2 zoning, and HP, for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the North City Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on October 11, 2012, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the North City Sector Plan, with its accompanying staff report and map, file #1-A-12-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

<p>MU-NC6: Stream Protection Area, Medium Density Residential, Office and/or Commercial</p> <p>Location: <i>Property adjoining North Broadway between Knox Road and Cedar Lane</i></p> <p>The major tenant of these properties has left and a store and parking lot stand empty. Therefore, this site will likely be redeveloped in the next few years. This area is appropriate for a vertical mixed use development or center with medium density residential above retail and office uses. It is located on minor arterial roads and a major collector road, near both medium and low density residential. There is a transit stop on Knox Road serving this location.</p>	<p>Recommended Zoning: Retail and Office Park District (PC-1), or a design- or form-based zoning code</p>
<p>MU-NC7: Medium Density Residential, Office, Commercial and/or Civic/Institutional</p> <p>Location: <i>Corners of Hotel Road and North Broadway</i></p> <p>This area is the historic heart of Fountain City and there are several unique buildings and shops in this location. In order to enhance and promote this existing mixed use center, it is recommended that MDR, Office, Commercial, Civic and Institutional uses be permitted within the district. The location of this district along a major arterial and a collector road, along with its proximity to parks and schools make it an ideal place to encourage more density by providing medium density residential. Additionally, a historic zoning overlay is recommended to protect the historic elevations of these buildings and to ensure that new projects complement the existing development.</p>	<p>Recommended Zoning: A design- or form-based zoning code and an H-1 overlay on portions of the area</p>
<p>MU-NC8: Slope Protection Area, Low Density Residential, Medium Density Residential, Office, and/or Civic/Institutional</p> <p>Location: <i>North side of Greenway Drive between Beverly Road and New Beverly Baptist Church Road</i></p> <p>This area is composed of a diversity of land uses and currently both the City and the County have jurisdiction over these parcels which influence zoning. With a branch of Sharps Ridge running through the rear of these properties slope protection measures should be in place and land uses should be concentrated on the flat portions of the site with lower intensity uses.</p>	<p>Recommended Zoning: Low Density Residential (R-1A), Planned Residential District (RP-1, at up to 12 dwelling units per acre), Office (O-1) and comparable County zones</p>
<p>MU-NC9: Low Density Residential, Medium Density Residential, Office, and/or Civic/Institutional</p> <p>Location: <i>South side of Greenway Drive between Beverly Road and Washington Pike</i></p> <p>The western portion of this area is devoted to the Tennessee Valley Authority Greenway Drive Facility and the eastern portion of the area is a mix of housing, office, some commercial uses and vacant land. This plan recognizes that this area is likely to redevelop in the near future and that the previously mentioned land uses are appropriate given its location along a major collector.</p>	<p>Recommended Zoning: Low Density Residential (R-1A), Planned Residential District (RP-1, at up to 12 dwelling units per acre), Office (O-1) and comparable County zones</p>
<p>MU-NC10: Slope Protection Area, Stream Protection Area, Low Density Residential and/or Office</p> <p>Location: <i>North side of Sharps Ridge, parcels north of Knoxville Center Mall and south of railroad track</i></p> <p>In view of the significant environmental resources (Sharps Ridge and Loves Creek) and the access challenges of these parcels, this mix of uses is proposed to foster the conservation of these resources while allowing residential and office uses on the flatter portions of the site.</p>	<p>Recommended Zoning: Low Density Residential (R-1A) or Planned Residential District (RP-1, at up to 6 dwelling units per acre) and Office (O-1)</p>

Agricultural (AG) and Agricultural Conservation (AGC): Land (in the Rural and Planned Growth Areas of the Growth Policy Plan) that is suitable for agricultural purposes (AG) Farmland or undeveloped land, characterized by prime agricultural soils (AGC)

Low Density Residential (LDR): Residential at densities of up to 6 dwelling units per acre (City); 5 dwelling units per acre (County)

Medium Density Residential (MDR): Residential at densities from 6 to 24 dwelling units per acre (City) and 5 to 12 dwelling units per acre (County)

Office (O): Business and professional offices and office parks

Neighborhood Commercial (NC): Day-to-day retail and service-oriented uses, located within a walking or short driving distance of neighborhoods (generally less than 5 acres)

Community Commercial (CC): Retail and service-oriented uses, including stores, restaurants, and "big box" establishments (typical service area: 20,000 to 30,000 residents)

<p>MU-NC8: Stream Protection Area, Medium Density Residential, Office and/or Commercial</p> <p>Location: <i>Property adjoining North Broadway between Knox Road and Cedar Lane</i></p> <p>The major tenant of these properties has left and a store and parking lot stand empty. Therefore, this site will likely be redeveloped in the next few years. This area is appropriate for a vertical mixed use development or center with medium density residential above retail and office uses. It is located on minor arterial roads and a major collector road, near both medium and low density residential. There is a transit stop on Knox Road serving this location.</p>	<p>Recommended Zoning: Retail and Office Park District (PC-1), or a design- or form-based zoning code</p>
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**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 10-B-12-RZ
10-A-12-PA

AGENDA ITEM #: 24
AGENDA DATE: 10/11/2012

▶ **APPLICANT:** ARROW PROPERTIES
OWNER(S): Arrow Properties

TAX ID NUMBER: 59 J A 010
JURISDICTION: Council District 4

▶ **LOCATION:** Northwest side Greenway Dr., northeast of Amber Ridge Way

▶ **TRACT INFORMATION:** 3.8 acres.

SECTOR PLAN: North City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Greenway Dr., a major collector street with 22' of pavement width within 130' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / R-1 (Low Density Residential)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** LI (Light Industrial) / I-2 (Restricted Manufacturing and Warehousing)

▶ **EXISTING LAND USE:** House and garage

▶ **PROPOSED USE:** Building for manufacturing of exhibits/displays for trade shows

EXTENSION OF PLAN DESIGNATION/ZONING: No, because adjacent properties are in the County, where there are no One Year Plan designations. There is an LI designated site about 350 feet to the west of the subject property, zoned I-3.

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Vacant land, ridge / COUNTY / R-1 (Low Density Residential)
South: Greenway Dr. - Houses and small business / COUNTY / I (Industrial)
East: Vacant lot and business / COUNTY / RA (Low Density Residential) & I (Industrial)
West: Vacant warehouse and house / COUNTY / I (Industrial) & RB (General Residential)

NEIGHBORHOOD CONTEXT: This area is developed with a mix of uses in both City and County zoning districts, including I, RA, RB, R-1, O-1, C-1 and I-3.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE LI (Light Industrial) One Year Plan designation for the front**

portion of the site. (See attached 'MPC Staff Recommendation' map.)

Light industrial uses are less intense than those permitted on adjacent industrial zoned properties and would be compatible in scale and intensity to surrounding land uses and zoning. Exclusion of the rear portion of the site, which is characterized by steep slopes, reduces the possibility for expansion of development into that hillside protected area.

► **RECOMMEND that City Council APPROVE I-2 (Restricted Manufacturing & Warehousing) zoning for the front portion of the site only. (See attached 'MPC Staff Recommendation' map.)**

I-2 zoning is an extension of already established, more intense industrial zoning from three sides. Staff recommends exclusion of the rear portion of the site from the rezoning, because it is characterized by steep slopes (see attached topo map), which should be protected from non-residential development. Staff recommends that the rear portion of the site retain its current R-1 zoning, consistent with the parcel to the west, which is zoned I in the front and RB in the back.

COMMENTS:

ONE YEAR PLAN AMENDMENT REQUIREMENTS:

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN (May meet any one of these.)

A. AN ERROR IN THE PLAN - The One Year Plan designates the site for low density residential uses, consistent with the R-1 zoning in place. However, this site is one of only a few sites on the north side of Greenway Dr. in this area that is zoned residential. The majority of the surrounding area is zoned various types of City and County industrial zones

B. A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA - No known improvements have been made to Greenway Dr. in the vicinity of this site.

C. A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN - There are established industrial uses and zoning along Greenway Dr. The presence of the industrial zoning demonstrates that the City Council and County Commission have deemed this area as appropriate for industrial uses, some of which could be much more intense than what would be permitted under the requested I-2 zoning.

D. NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY MPC) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT - The development trend along this Greenway Dr. corridor is for non-residential uses. It is reasonable to allow consideration of non-residential zones other than O-1 in this area. Individual plan amendments and rezoning requests should be reviewed based on their own individual merits on a case-by-case basis.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. I-2 is an extension of industrial zoning from three sides.
2. I-2 is a much less intense zone than the adjacent County Industrial zoning to the east and west, as well as the City I-3 and I-4 zoning in the vicinity.
3. Approval of I-2 zoning for this site eliminates an island of residential surrounded by industrial zoning. I-2 is an extension of industrial zoning from three sides.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The requested I-2 zoning district is established to provide for areas in which the principal use of land is for light manufacturing and assembly plants, processing, storage, warehousing, wholesaling and distribution. It is the intent that permitted uses are conducted so that noise, odor, dust, and glare of each operation is completely confined within an enclosed building. These industries may require direct access to rail, air or street transportation routes; however the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by the uses of the general and heavy industrial districts. Regulations are intended to prevent frictions between uses within the district and also to protect nearby residential districts.
2. The subject property is appropriate for I-2 zoning and uses.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. The proposal will have no impact on schools, and the traffic impact will depend on the type of use that is proposed.
2. I-2 zoning is compatible with surrounding development and should have a minimal impact on adjacent properties. It is less intense than the zoning in place on most of the surrounding properties.
3. Public water and sanitary sewer utilities are available to serve the site.
4. Retaining the existing R-1 zoning on the rear makes it less likely that inappropriate develop will occur along the ridgeline.

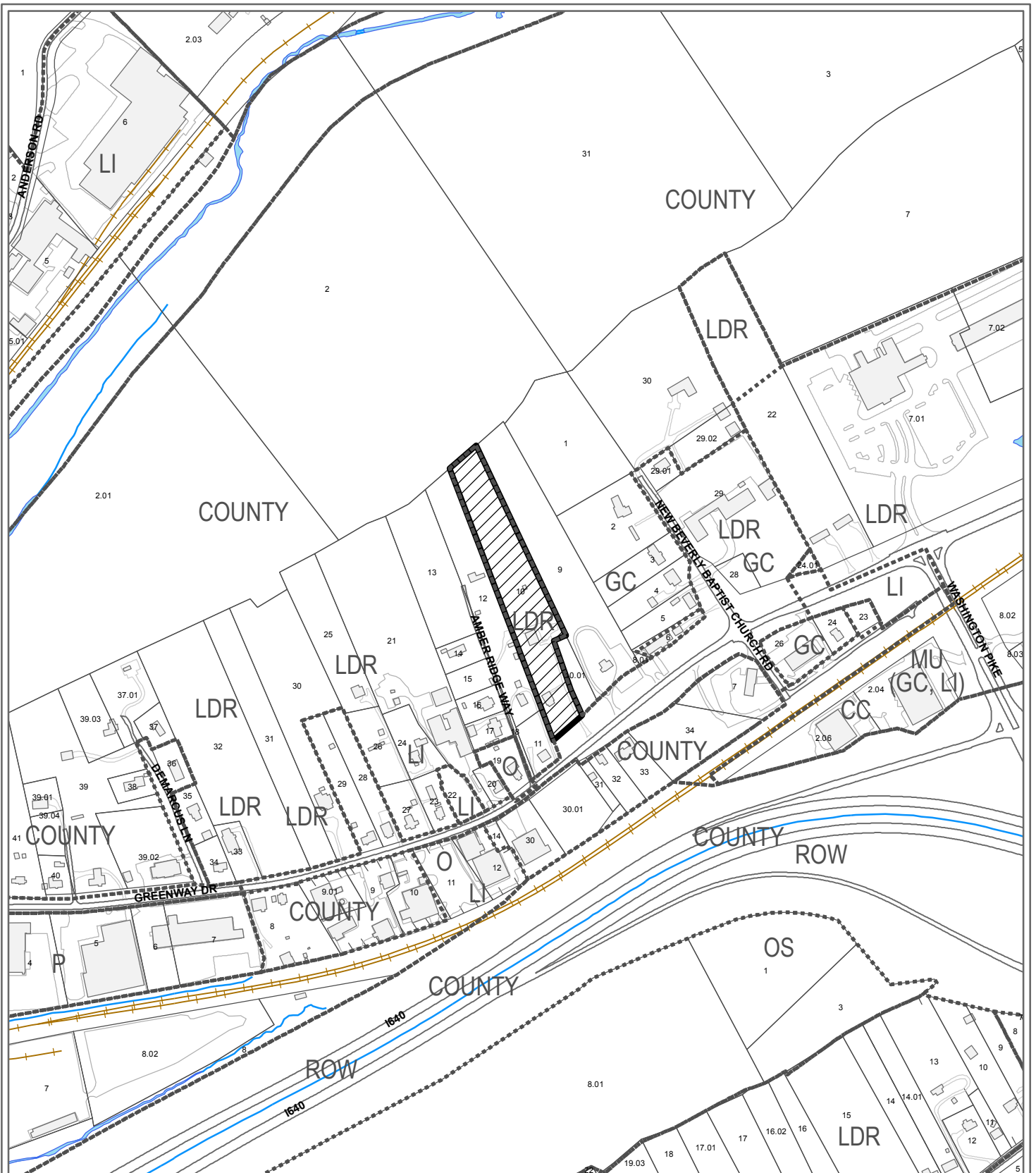
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. With the recommended amendment from MU-SD (NC8) to MU-SD (NC8), including I-2, the proposed I-2 zoning would be consistent with the North City Sector Plan.
2. With the recommended amendment from LDR to LI, the proposed I-2 zoning would be consistent with the City of Knoxville One Year Plan.
3. The site is located within the City Limits of Knoxville on the Knoxville-Knox County-Farragut Growth Policy Plan map.
4. The proposal does not present any apparent conflicts with any other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 11/13/2012 and 11/27/2012. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**10-A-12-PA / 10-B-12-RZ
PLAN AMENDMENT**

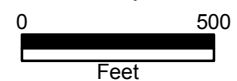
From: LDR (Low Density Residential)
To: LI (Light Industrial)



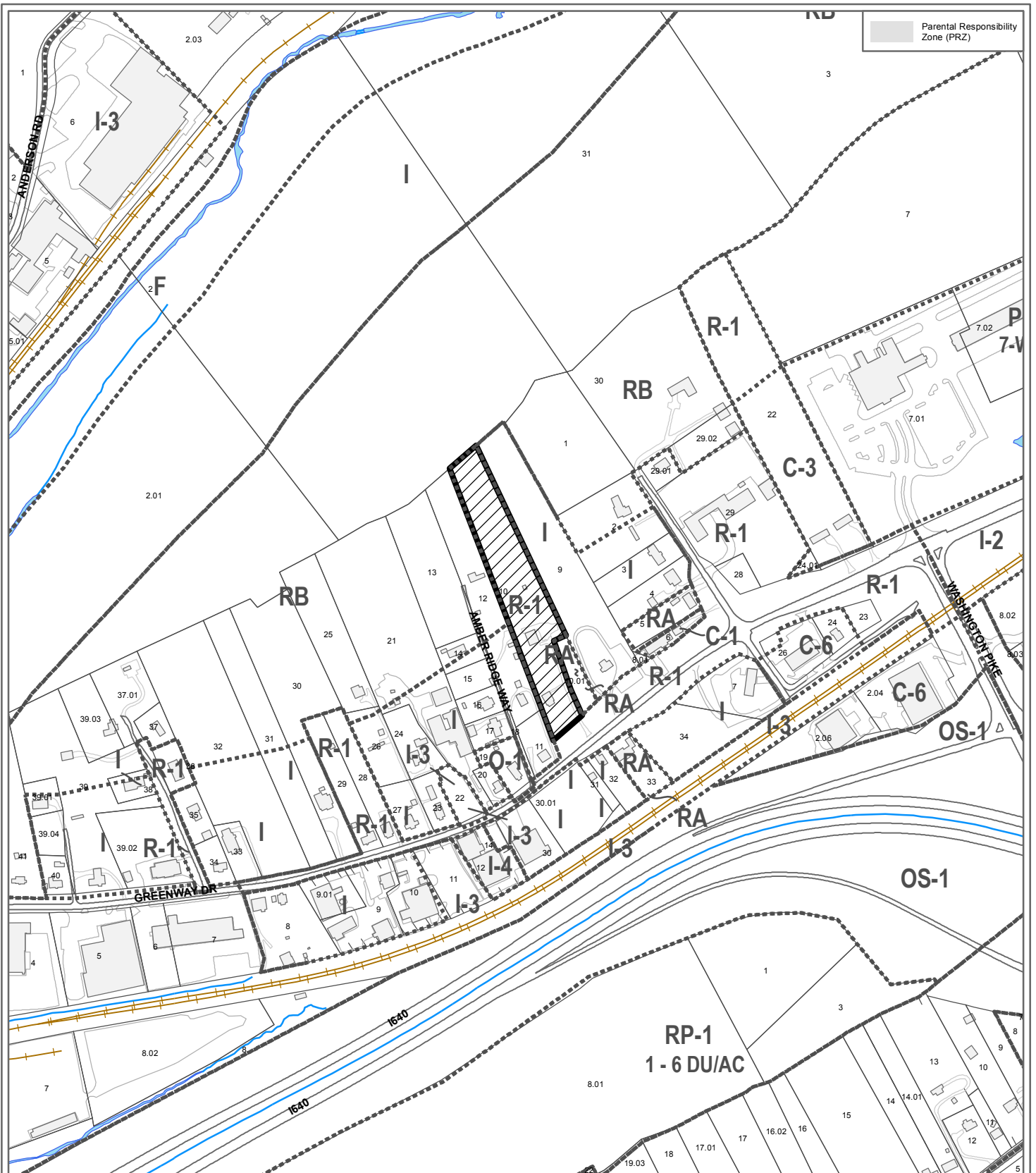
Petitioner: Arrow Properties

Map No: 59

Jurisdiction: City



Original Print Date: 9/26/2012
Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



Parental Responsibility Zone (PRZ)

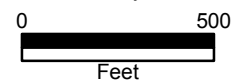
**10-B-12-RZ
REZONING**

From: R-1 (Low Density Residential)
To: I-2 (Restricted Manufacturing and Warehousing)

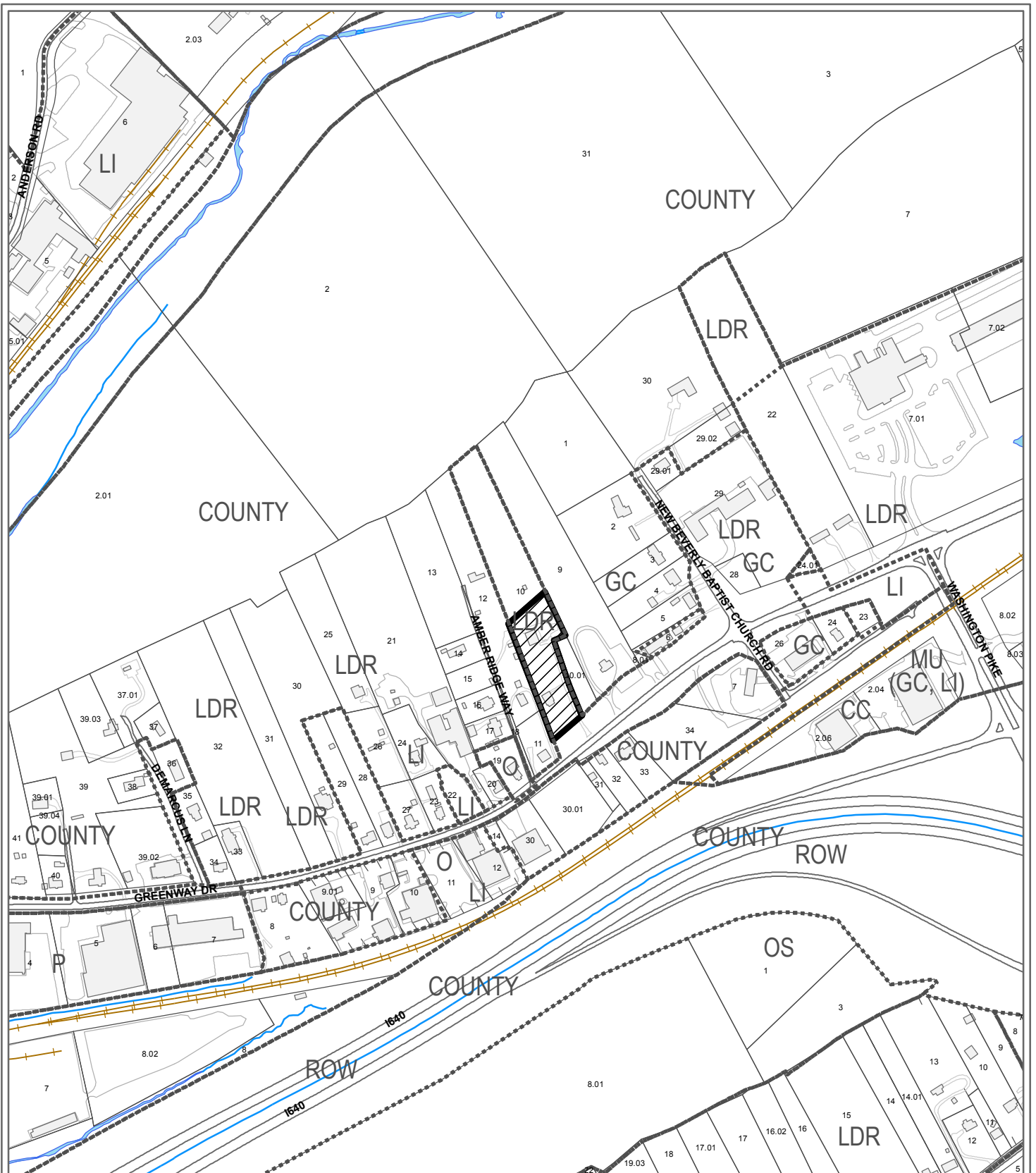


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**10-A-12-PA / 10-B-12-RZ
PLAN AMENDMENT - Staff Recommendation**

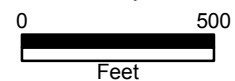
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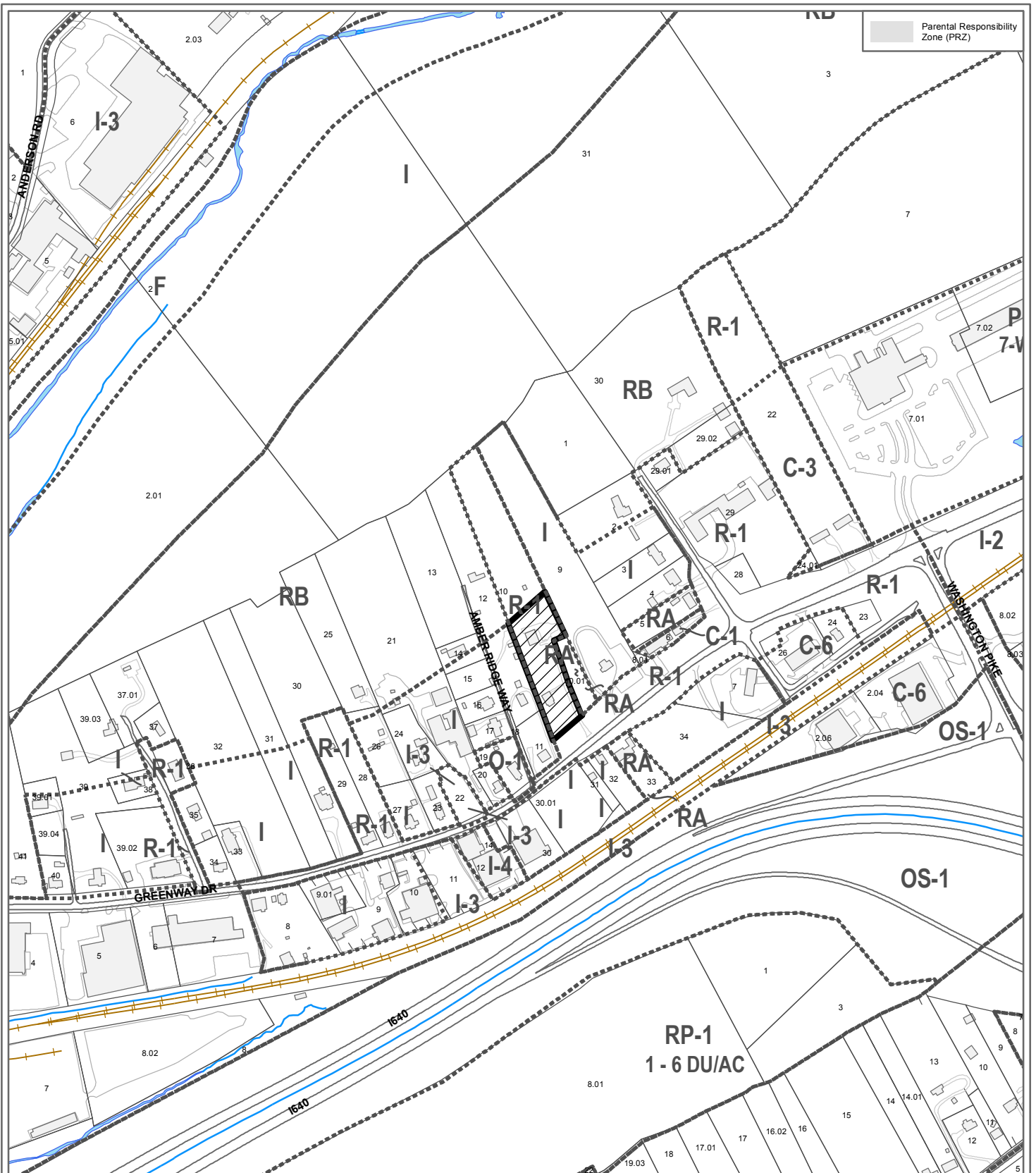
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Parental Responsibility Zone (PRZ)

**10-B-12-RZ - MPC Staff Recommendation
REZONING**

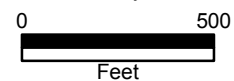
From: R-1 (Low Density Residential)
To: I-2 (Restricted Manufacturing and Warehousing)



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